

**REMARKS**

Claims 1, 16, 22, 25, 39, and 40 have been amended; and claims 1 through 28, 39, and 40 are currently pending and under consideration. The specification has been amended to improve form. No new matter is presented in this Amendment.

**REJECTIONS UNDER 35 U.S.C. §101:**

Claims 1-21 and 39 are rejected under 35 U.S.C. §101, as the Examiner asserted that the claimed invention is directed to non-statutory subject matter as follows. The Examiner asserted that claims 1-21 and 39 recited a mere compilation of data, which does not impart functionality to a computer or computing device, and is thus considered nonfunctional descriptive material. The Examiner further asserted that such nonfunctional descriptive material, in the absence of a functional interrelationship with a computer, does not constitute a statutory process, machine, manufacture or composition of matter and is thus non-statutory per se. Office action at 2.

Claims 1, 16, and 39 are amended to obviate the rejection. Withdrawal of the rejection is respectfully requested. As claims 2 through 15 depend from independent claim 1 and claims 17 through 21 depend from independent claim 16, such claims are patentable for at least the same reasons as independent claims 1 and 16. As such, it is respectfully requested that the Examiner withdraw the rejections under 35 USC §101.

**REJECTIONS UNDER 35 U.S.C. §102:**

Claims 1-2, 7-16, 22, 24-25, 39 and 40 are rejected under 35 U.S.C. §102(e) as being anticipated by Cho et al. (U.S. Patent Publication 2002/0176693). The rejection is respectfully traversed, and reconsideration is requested.

The Examiner asserts that FIG. 1 and paragraph 31 disclose features that anticipate the rejected claims. However, FIG. 1 of Cho et al. merely illustrates a recording medium including script files in a script file zone (SFZ) which are linked to specific video objects unit (VOBU) in a data zone (DZ) by flags in individual program chains. (Paragraphs 0030, 0031, 0037-0039; FIGs. 1, 6 and 11). While the SFZ includes additional information about moving picture data in a script file that may be written in HTML, there is no suggestion that such a script file indicates a particular relationship between a particular VOBU and a larger title of the VOBU. Instead, such a relationship is performed by the Video Manager. As such, the script file merely represents detailed information (such as information about the genre or actor for the video data), but does

not describe attribute information on the record unit and information defining a relationship between the record unit and the reproduction unit.

In contrast, claim 1 recites, among other features, "a second layer which, when the multimedia data is divided into a record unit and a reproduction unit, includes information on attributes of the record unit and information defining a relationship between the record unit and the reproduction unit." As such, it is respectfully submitted that Cho et al. does not disclose or suggest the invention of claim 1.

For at least similar reasons, it is respectfully submitted that claims 16, 22, and 25 are patentable over Cho et al.

Moreover, to the extent that the SFZ represents a layer separate from the layer of the DZ, it is noted that the Cho et al. discloses that the navigation data is in a navigation data zone (NDZ). The NDZ of Cho et al. is within the same layer as the DZ since the DZ and NDZ utilize a conventional DVD recording standard. (Paragraphs 0029, 0032-0034; S13 of FIG. 11). As such, Cho et al. utilizes the script files to provide additional information from data recorded in a conventional DVD format, which necessarily includes the navigation data and the data in a same layer. In contrast, claim 16 recites, among other features, "a first layer storing multimedia data," "a second layer which, when the multimedia data is divided into a record unit and a reproduction unit, includes information on attributes of the record unit and information defining a relationship between the record unit and the reproduction unit," and "a third layer storing navigation data of a selection of the reproduction unit and reproduction sequence". As such, it is respectfully submitted that Cho et al. does not disclose or suggest the invention of claim 16.

For at least similar reasons, it is respectfully submitted that Cho et al. further does not disclose the features of claims 25, 39, and 40.

Further, claims 2, 7 through 15 depend from claim 1 and claim 24 depends from claim 22. As such, claims 2, 7 through 15, and claim 24 are patentable for at least the above reasons as such claims incorporate all of the features of the claims from which they depend. Thus, it is respectfully requested that the rejections of claims 2, 7 through 15, and claim 24 be withdrawn.

#### **REJECTIONS UNDER 35 U.S.C. §103:**

Claims 3-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cho et al. (U.S. Patent Publication 2002/0176693) in view of Fujinami et al (U.S. Patent 5,455,684). However, even assuming arguendo Fujinami et al. is correctly applied as analogous art,

Fujinami et al. fails to cure the above-noted deficiencies of Cho et. al. as applied to claim 1, from which claims 3-6 depend. As such, it is respectfully submitted that the combination does not disclose or suggest the invention of claims 3-6.

Claims 17-21, 23, 26-28 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cho et al. (U.S. Patent Publication 2002/0176693) in view of Niranjan et al. (U.S. Patent Publication 2004/0046778).

Assuming arguendo that Niranjan et al. is analogous art, Niranjan et al. fails to cure the above-noted deficiencies of Cho et. al. as applied to claims 16, 22, and 25, from which claims 17-21, 23, 26-28 correspondingly depend. As such, it is respectfully submitted that the combination does not disclose or suggest the invention as recited in claims 17-21, 23, 26-28.

Based on the foregoing, this rejection is respectfully requested to be withdrawn.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

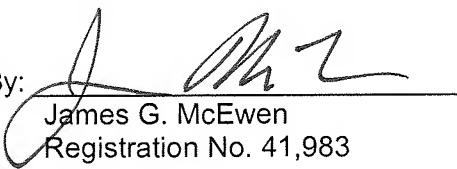
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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